

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rajiv SHAH, et al.

Title: METHOD FOR FORMULATING A GLUCOSE OXIDASE
ENZYME WITH A DESIRED PROPERTY OR PROPERTIES
AND GLUCOSE OXIDASE ENZYME WITH THE DESIRED
PROPERTY

Appl. No.: 10/035,918

Filing Date: 12/28/2001

Examiner: Yong D. Pak

Art Unit: 1652

Confirmation No.: 2208

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated June 27, 2008, finally rejecting Claims 1, 3-8, 10-24 and 44-46.

☐ Applicant claims small entity status.

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ Notice of Appeal Fee

☐ To be paid as detailed below

☒ Not required (Fee paid in prior appeal)

The required fees are calculated below:

<input type="checkbox"/>	Notice of Appeal Fee	\$0.00
<input type="checkbox"/>	Extension month:	\$0.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$0.00

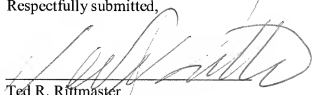
Applicant requests that the previously paid fees for filing the Notice of Appeal dated October 11, 2005, and the Notice of Appeal dated February 1, 2007, be applied to the present Appeal Brief.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: September 23, 2008
 FOLEY & LARDNER LLP
 Customer Number: 23392
 Telephone: (213) 972-4500
 Facsimile: (213) 486-0065

By: 
 Ted R. Rittmaster
 Attorney for Applicant
 Registration No. 32,933